

M I N U T E S
LEXINGTON COUNTY COUNCIL
DECEMBER 09, 2003

Lexington County Council held its regular meeting on Tuesday, December 09, 2003 in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Mr. Owens gave the invocation; Mr. Cullum led the Pledge of Allegiance.

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| Members attending: | George H. Smokey Davis | William C. Billy Derrick |
| | Bobby C. Keisler | Johnny W. Jeffcoat |
| | M. Todd Cullum | Jacob R. Wilkerson |
| | John W. Carrigg, Jr. | Joseph W. Joe Owens |
| | Bruce E. Rucker | |

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Employee Recognition - Art Brooks, County Administrator - Mr. Brooks recognized Eugene "Ski" Rishkofski, Deputy Delinquent Tax Collector, in the Treasurer's Office for his professional and courteous manner while assisting a citizen whose property was listed to be sold at auction.

Employee of the Quarter - Art Brooks, County Administrator - Nominees for the Third Quarter - Jolynn Hardee, Civil Clerk and Mary Jones, Criminal Clerk, with Magistrate Court Services/Oak Grove and Timothy M. James, Assistant Sheriff and Interim Public Safety Director.

Mr. Brook stated both Ms. Hardee and Ms. Jones were nominated for making the opening of the Oak Grove Magistrate's office a success by their commitment to being open-minded for change and their willingness to work together as "team players."

Mr. Brooks stated Chief James was nominated for several projects. Mr. Brooks said the most recent project that Chief James has successfully completed is the consolidation of the Lexington County Communications Center. He said Chief James has also been instrumental in the move of the Emergency Operations Center to Ball Park Road, the creation of the Telephone Reporting Unit, the Cops in Cabs and Operation Safe Schools programs, the Criminal Intelligence Unit and Intel Team, and the Lexington County

Multi-Agency Narcotics Enforcement Team (NET).

Mr. Brooks presented a plaque to Assistant Sheriff Tim James as the Employee for the Third Quarter and Certificates of Excellence were presented to Jolynn Hardee and Mary Jones.

Mental Illness Recovery Center, Inc. - Designation for MIRI to Obtain Funds to Transport Persons With Disabilities Through the State Mass Transit Assistance Program - A motion was made by Mr. Jeffcoat, seconded by Mr. Derrick to approve the resolution for the Mental Illness Recovery Center, Inc.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Derrick | Mr. Rucker |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Carrigg | Mr. Owens |
| | Mr. Cullum | |

Appointments - Lexington County Health Services District - Ms. Jennifer Cunningham and Mr. Billy Oswald - A motion was made by Mr. Owens, seconded by Mr. Jeffcoat to appoint Ms. Jennifer Cunningham and Mr. Billy Oswald to the Lexington County Health Services District Board of Directors.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Owens |
| | Mr. Jeffcoat | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Carrigg |
| | Mr. Cullum | |

Building Code Board of Appeals - Marvin Smith - A motion was made by Mr. Keisler, seconded by Mr. Wilkerson to appoint Mr. Marvin Smith to the Building Code Board of Appeals.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Keisler |
| | Mr. Wilkerson | Mr. Rucker |
| | Mr. Derrick | Mr. Jeffcoat |
| | Mr. Carrigg | Mr. Owens |
| | Mr. Cullum | |

Lexington County Health Services District - James D. Whitehead, M.D. - A motion was made by Mr. Rucker, seconded by Mr. Derrick to appoint Dr. James Whitehead to the Lexington County Health Services District Board of Directors to replace Dr. Charles Harmon who resigned.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Jeffcoat |
| | Mr. Carrigg | Mr. Owens |
| | Mr. Cullum | |

River Alliance - Councilman Todd Cullum and Councilman Joe Owens - A motion was made by Mr. Carrigg, seconded by Mr. Rucker to reappoint Councilman Todd Cullum and Councilman Joe Owens to the River Alliance Board.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Carrigg |
| | Mr. Rucker | Mr. Derrick |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Owens |
| | Mr. Cullum | |

River Alliance - Jimmy Doar and Todd Sease - A motion was made by Mr. Owens, seconded by Mr. Rucker to reappoint Mr. Jimmy Doar and Mr. Todd Sease to the River Alliance Board.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Owens |
| | Mr. Rucker | Mr. Derrick |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Carrigg |
| | Mr. Cullum | |

Bids/Purchases/RFPs - Fire Station Renovations/Pelion, Edmund, Sandy Run, and Round Hill - Fire Service - Bids were advertised and solicited from twenty-two qualified contractors for fire station renovations for Pelion, Edmund, Sandy Run, and Round Hill. The project includes all equipment, materials, and labor necessary for the renovation of the existing three-bay garages at Pelion, Edmund, and Sandy Run Fire Stations. Also included is the renovation of the existing three-bay garage and the construction of a 30' x 60' steel frame three-bay addition at the Round Hill Fire Station which includes site preparation and

grading. One (1) bid and (6) no bids were received. MAR Construction bid of \$320,000.00 included all renovations for the fire stations and the addition to the Round Hill Fire Station with an additional \$6,095.00 for grading and site preparation. The total bid amount exceeded the projected budget. After negotiations, MAR Construction agreed to a total contract cost, including site preparations, of \$312,600.00.

A motion was made by Mr. Rucker, seconded by Mr. Jeffcoat to approve staff's recommendation for fire station renovations for Pelion, Edmund, Sandy Run, and Round Hill and to approve a budget amendment of \$60,000.00 to cover the additional funds necessary for the addition, grading and site preparation at the Round Hill Fire Station.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Rucker |
| | Mr. Jeffcoat | Mr. Derrick |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Carrigg | Mr. Owens |
| | Mr. Cullum | |

A budget amendment resolution in the amount of \$60,000.00 was distributed and signed to appropriate additional funding to cover the addition, grading and site preparation at the Round Hill Fire Station.

A motion was made by Mr. Rucker and seconded by Mr. Wilkerson that the following bids be approved.

Computers and Monitors - Library/Information Services - Staff recommended the purchase of twenty-one (21) Dell computers and monitors for Library/Information Services. The twenty-one (21) Dell computers and monitors will be purchased directly from Dell Computer through State Contract Number 03-S5869-A9659. The total cost is \$16,250.88 including tax.

Streamlight Stringer Rechargeable Flashlights - Sheriff's Department - Bids were advertised and solicited for Streamlight Stringer Rechargeable Flashlights for the Sheriff's Department. Sixteen (16) bids and one (1) no bid were received. These rechargeable flashlights are smaller than the ones currently used by the Sheriff's Department and will eliminate the number of D-cell batteries being purchased. The unit price of each flashlight is \$62.69. Staff recommended to award the contract to Lawmen's Safety Supply in the amount of \$8,228.06. In addition, holsters are required for each officer to house the Streamlight Stringer Rechargeable Flashlight. The unit price of each holster is \$14.40. Staff recommended also to purchase the holsters from Lawmen's Safety Supply through State Contract Number 04-S6265-A10290 for a cost of \$1,890.00. The total cost for the flashlights and holsters including tax is \$10,118.06.

Laptop Computers - Public Safety/Communications/Information Services - Staff recommended the purchase of three (3) Gateway laptop computers for Public Safety/Communications/ Information Services directly from Gateway through State Contract Number 03-S5869-A9661 in the amount of \$6,737.85 including tax.

Sole Source Procurement - MSA Air Cylinders - Public Safety/Emergency Preparedness - Staff recommended the purchase of Mine Safety Appliance (MSA) Air Cylinders to the sole source provider, Newton's Fire & Safety Equipment, Inc. in the amount of \$13,847.40 including tax.

Drainage Improvements Bellemeade Subdivision Community Development Block Grant - Public Works - Bids were advertised and solicited from qualified contractors for Drainage Improvements for the Bellemeade Subdivision. This project will include approximately 1,030 L.F. placement of pipes and removal or replacement of other drainage structures. Eleven (11) bids were received. Staff recommended the bid be awarded to Ideal Construction Company. The total bid for the project, based on estimated quantities, is \$167,830.00.

Fleet Vehicle Replacements/Addition - Various Departments - Staff recommended the purchase of Fleet Vehicle Replacements/Addition to Various Departments through State Contract with the exception of two vehicles which are motor pool replacements. The cost of the approved vehicles is \$452,465.53 including tax.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Rucker |
| | Mr. Wilkerson | Mr. Derrick |
| | Mr. Keisler | Mr. Jeffcoat |
| | Mr. Carrigg | Mr. Owens |
| | Mr. Cullum | |

Convection Oven and Kettle Replacement - Emergency Procurement - Sheriff's Department - Competitive bids were obtained for a Convection Oven and Kettle for the Sheriff's Department. Three (3) bids were received. Staff recommended the purchase to Dietary Equipment Company in the amount of \$15,231.35 including tax and installation.

Mr. Derrick made a motion, seconded by Mr. Cullum to approve staff's recommendation.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Derrick |
| | Mr. Cullum | Mr. Rucker |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Carrigg |
| | Mr. Owens | |

Chairman's Report - Mr. Davis stated effective January 2004 the complete agenda and packet will be available on the internet.

Administrator's Report - Mr. Brooks stated moving has begun into the Lexington County Judicial Center and anticipates it being open to the public on Monday, December 15, 2003.

Budget Amendment Resolutions - The following BARs were distributed and signed.

Supplemental appropriation increase of \$16,400.00 awarded to the Lexington County Sheriff's Traffic Safety Division for the purchase of radar units through a multi-agency grant with the Town of Lexington.

Supplemental appropriation increase of \$1,800.00 for interest earned on the federal funds received for the FY02 Local Law Enforcement Block Grant. Interest is budgeted for Magistrate Court Services to standardize their software programs.

Supplemental appropriation increase of \$66,624.00 from the Inmate Services Fund to the Sheriff's General Fund to provide additional funds for medical services for inmates due to population overages and catastrophic medical cases.

Supplemental appropriation increase of \$3,580.00 received from Leadership Lexington County, Inc. for the purchase of courthouse benches and receptacles.

Approval of Minutes - Meeting of October 28 and November 13, 2003 - A motion was made by Mr. Jeffcoat, seconded by Mr. Cullum that the October 28 and November 13, 2003 minutes be approved as submitted.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Cullum | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Carrigg |
| | Mr. Owens | |

Ordinances - Ordinance 03-8 - Landscape Ordinance - Text Change - 3rd and Final Reading - A motion was made by Mr. Wilkerson, seconded by Mr. Cullum that Ordinance 03-8 be given third and final reading.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Wilkerson |
| | Mr. Cullum | Mr. Rucker |
| | Mr. Derrick | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Carrigg |

Mr. Owens

Ordinance 03-12 - Conveyance of Real Estate From Lexington County to the Town of Lexington (Hendrix Street) - 2nd Reading - A motion was made by Mr. Owens, seconded by Mr. Derrick that Ordinance 03-12 be given second reading.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Owens |
| | Mr. Derrick | Mr. Rucker |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Carrigg |
| | Mr. Cullum | |

Committee Reports - Planning & Administration, B. Rucker, Chairman - Revised Operation and Maintenance Plan for Judicial Center and County Buildings - Mr. Rucker reported his committee met on Tuesday, November 18, 2003 to discuss the Operation and Maintenance Plan for the Judicial Center and County Buildings.

Mr. Brooks discussed the need for the proposed policy. He stated the proposed policy is to establish a partnership between employees and staff to maintain a clean, professional work atmosphere, limit the need for pest control, and prolong the usefulness of the facilities and its contents.

The Committee voted to recommend that full Council approve the Operation and Maintenance Plan for all County Buildings with the following changes/additions.

Plants and Flower Arrangements

Approve Option 2: Over watering of live plants and flower arrangements can cause water damage to the County's property (desks, carpets, walls). For this reason, the County requires all plants to have adequate overflow dishes placed under all live plants and cut-flower arrangements. If the Building Services staff discovers wet carpet or other materials as a result of over watering, the Building Services Manager may require the plants(s) in the area to be removed from the premises. The Committee **directed staff to add discretionary wording as to the number, size, and location of plants.**

Smoking Policy

Approve Option 2: Smoking is permitted only in authorized areas. All tobacco products (cigarettes, chewing tobacco, etc.) must be disposed in approved receptacles. In no case can tobacco products be disposed of in sinks or water fountains.

Mr. Rucker made a motion, seconded by Mr. Carrigg to adopt staff's proposed Operation and Maintenance Plan for the Judicial Center and Administration Building with the following amendment which states: (1) All courtroom space in the Judicial Center is to be accessible on the basis of availability, (2) The

family courtrooms will be scheduled by the Chief Administrative Family Court Judge and all other courtrooms will be scheduled by the Lexington County Resident Judge for Circuit Court, and (3) Food and/or drinks are allowed in the courtrooms only on special occasions as approved by the judge responsible for scheduling of the respective courtroom(s).

Mr. Davis opened the meeting for discussion.

Mr. Jeffcoat stated as he understood there will be no preassigned courtrooms.

Mr. Rucker stated the Family Court courtrooms will be scheduled by the Chief Administrative Family Court Judge and all other courtrooms by Judge Westbrook, the Lexington County Resident Judge.

Mr. Carrigg stated this is giving the authority to the Resident Judge, Judge Westbrook, over and above any Chief Administrative Judge.

Mr. Jeffcoat asked if this included the Probate Judge.

Mr. Carrigg replied, yes, with the exception of the Family Court courtrooms.

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| In Favor: | Mr. Davis | Mr. Rucker |
| | Mr. Carrigg | Mr. Derrick |
| | Mr. Wilkerson | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Owens |
| | Mr. Cullum | |

Health Insurance Prescription Medication Deductible - Mr. Rucker reported that during the afternoon meeting, his committee met and discussed the Health Insurance Prescription Medication Deductible. He stated effective January 2004 there will be an annual prescription deductible of \$50.00. He noted since implementing the prescription plan, the County has saved approximately \$80,000.00 - \$90,000.00.

Zoning Map Amendment M03-06 - 6172 Bush River Road & Zoning Map Amendment M03-05 - Portions of Counts Ferry Road, Rocky Cove Road, and Quail Trail - Mr. Jeffcoat asked if there would be a problem bringing forward Zoning Map Amendment M03-06 - 6172 Bush River Road.

Mr. Davis replied he did not see a problem as it had been voted on during the afternoon committee meeting.

Mr. Jeffcoat asked Ms. Black, Clerk to Council, if she thought there would be a problem.

Ms. Black stated there were some individuals from the Brittany II subdivision who left after being told that it was not on the agenda.

Mr. Jeffcoat replied that there were citizens from Brittany II subdivision present.

Mr. Cullum made a motion, seconded by Mr. Owens to amend the agenda to include Zoning Map Amendment M03-06 - 6172 Bush River Road and Zoning Map Amendment M03-05 - Portions of Counts Ferry Road, Rocky Cove Road, and Quail Trail.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Cullum |
| | Mr. Owens | Mr. Rucker |
| | Mr. Derrick | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Carrigg |

Abstaining: Mr. Wilkerson

Zoning Map Amendment M03-06 - 6172 Bush River Road - Mr. Jeffcoat made a motion, seconded by Mr. Owens to deny the request of Zoning Map Amendment M03-06 - 6172 Bush River Road.

Mr. Davis opened the meeting for discussion.

Mr. Jeffcoat stated the decision was made because the Committee did not feel that it was Council's responsibility to amend any requests brought before them. He said the request to the Committee was that the entire parcel would be rezoned to C2. He stated the Committee recommended to the applicant that he contact the residents that live in that area and if there is some compromise then he could come back to Council with another proposal.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Owens | Mr. Rucker |
| | Mr. Derrick | Mr. Keisler |
| | Mr. Cullum | Mr. Carrigg |
| | Mr. Wilkerson | |

Zoning Map Amendment M03-05 - Portions of Counts Ferry Road, Rocky Cove Road, & Quail Trail - Mr. Rucker made a motion, seconded by Mr. Carrigg to deny the request of Zoning Map Amendment M03-05.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Rucker |
| | Mr. Carrigg | Mr. Wilkerson |
| | Mr. Keisler | Mr. Jeffcoat |
| | Mr. Owens | Mr. Cullum |

Mr. Derrick

Justice, J. Carrigg, Chairman - Continuation Gang Grant - Mr. Carrigg reported that during the afternoon meeting, his committee met to discuss the Continuation Gang Grant. He stated this is a grant that has been successful through the Lexington County Sheriff's Department in identifying gang activity throughout the county. He stated the 10% match of \$15,940.00 is being funded through the Sheriff's Department contingency fund.

Mr. Carrigg made a motion, seconded by Mr. Wilkerson to approve staff's request to move forward with the Continuation Gang Grant application.

Mr. Davis opened the meeting for discussion.

Mr. Wilkerson stated he has seen a presentation on different gangs in Lexington County and asked if Council could have the chance to see it as well.

Mr. Davis stated that he would schedule a presentation for Council.

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| In Favor: | Mr. Davis | Mr. Carrigg |
| | Mr. Wilkerson | Mr. Rucker |
| | Mr. Derrick | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Owens |
| | Mr. Cullum | |

Old Business/New Business - Banking Services RFQ - Mr. Carrigg stated during the committee meeting the Banking Services RFQ was discussed.

Mr. Carrigg made a motion, seconded by Mr. Jeffcoat that if no report has been received by County Council by January 15, 2004, then County Council would at that time look into appointing someone to take over the Banking Services RFQ.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Carrigg |
| | Mr. Jeffcoat | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Owens |
| | Mr. Cullum | |

Mr. Rowell, Treasurer, stated he has a meeting scheduled within the next week with the head of BB&T's ATM division to discuss security issues and the installation of an ATM in the Administration Building. He stated that Council will have a response regarding the Banking Services RFQ by January 15, 2004.

Public Works, B. Derrick, Chairman - In-Kind Costs - Recreation Commission Parking Lot - Mr. Derrick reported that during the afternoon meeting, his committee met to discuss the In-Kind Costs for the Lexington County Recreation Commission's parking lot in exchange for three acres of land for the Oak Grove Magistrate's office. Mr. Derrick stated the estimated cost for Public Works to pave and add drainage to the parking lot would be \$56,570.00.

A motion was by Mr. Derrick, seconded by Mr. Wilkerson that staff be allowed to meet with the Executive Director of the Lexington County Recreation Commission to negotiate an agreement for paving of the parking lot on Oak Drive and that the cost not exceed \$56,570.00. He also stated the committee expected the cost to be much lower after negotiations.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Derrick |
| | Mr. Wilkerson | Mr. Rucker |
| | Mr. Keisler | Mr. Jeffcoat |
| | Mr. Carrigg | Mr. Owens |
| | Mr. Cullum | |

Stoney Point at Bear Creek Subdivision - Incomplete Road Work - Deferred until Executive Session.

CAT 938-G Front-End Loader, CAT 623-G Self Loading Wheel Tractor Scraper and CAT 826-C Compactor - Mr. Derrick stated his committee met and discussed the purchase of a CAT 938-G Front-End Loader, CAT 623-G Self Loading Wheel Tractor Scarper, and a CAT 826-C Compactor for Solid Waste.

Mr. Cullum made a motion, seconded by Mr. Keisler to approve staff's recommendation to purchase a CAT938-G Front-End Loader without tires (equipped with fire suppressant system), CAT 623-G Self Loading Wheel Tractor Scraper, and CAT 826-C Compactor to Blanchard Equipment in the amount of \$1,119,902.70 and the purchase of tires be awarded to Miller Brothers Giant Tire in the amount of \$17,850.00. The total cost for all heavy equipment is \$1,137,752.70 including tax. The committee also voted to recommend to Council that staff be allowed to transfer \$17,850.00 from the Tire Recycling Fund to cover the cost of the tires. Mr. Derrick stated the bid exceeded the budgetary appropriation by \$79,458.00 and the committee directed the Solid Waste Director to identify and transfer the \$79,458.00 from the Solid Waste excess budget.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Cullum |
| | Mr. Keisler | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Jeffcoat | Mr. Carrigg |

Mr. Owens

Economic Development, J. Jeffcoat, Chairman - Project AF (American Fiber & Finishing) - Mr. Jeffcoat stated his committee met and discussed Project AF (American Fiber & Finishing).

Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the resolution that puts certain property owned by American Fiber and Finishing located in Newberry County into the Multi-County Park.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Cullum | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Carrigg |
| | Mr. Owens | |

Ordinance 03-13 - American Fiber & Finishing - 1st Reading - A motion was made by Mr. Jeffcoat, seconded by Mr. Cullum to approve first reading of Ordinance 03-13 that amends Lexington County's Multi-County Park agreement with Newberry County and provides for the distribution of funds.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Cullum | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Carrigg |
| | Mr. Owens | |

Project Mallard (Honeywell International) - Mr. Jeffcoat stated during the afternoon meeting his committee met and discussed Project Mallard (Honeywell International).

Mr. Jeffcoat made a motion, seconded by Mr. Carrigg to approve a restructuring agreement with Honeywell International which consists of Assignment of fee-in-lieu documents, Assignment of memorandum of lease, and the resolution authorizing the Assignment of fee-in-lieu documents.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Carrigg | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Owens |
| | Mr. Cullum | |

Presentations - Ms. Denise Wilkinson and Mr. Stewart Mungo, P.O. Box 93, Ballentine, SC 29202 - Project Pet - Ms. Wilkinson presented Council a full proposal for Project Pet.

Ms. Wilkinson stated Project Pet is a not for profit organization whose sole mission is focused on creating a no-kill community for our companion pets. She stated Project Pet has enjoyed a relationship with Lexington County Animal Services since 1999 and they have adopted over 3,000 dogs and cats. She said over the last year, Project Pet has worked very, very hard on a plan to address the pet population problem. She stated we know euthanasia is not the answer to this problem, if it were, we would not be euthanizing 88 to 90% of our dogs and cats that come through our shelters but would see a decrease in our budgets and in our intake numbers.

Ms. Wilkinson stated what we have done is structure a program after an organization in California called Maddie's Fund. She stated Maddie's Fund is a \$200 million endowment that is set up to create a no-kill nation for companion pets and we have applied for a grant. She stated as far as she knew, Project Pet is the only organization in South Carolina that is even being reviewed right now and Project Pet is being considered for a \$3.8 million grant. If funded, they are going to require that our organization run a very, very aggressive adoption campaign with our shelters, and they are going to require at the same time that we run a very aggressive spay and neuter campaign with the community. She stated if successful, Project Pet will reach a zero euthanasia rate for our healthy adoptable animals that are coming through our shelters. She asked what are we missing. Ms. Wilkinson stated the only thing Project Pet is missing is an adoption and development center. Ms. Wilkinson stated the reason she and Mr. Mungo are here today is to ask Council if they would consider leasing Project Pet a piece of property on Bower Parkway for \$1 per year for 25 years to build an adoption and development center. She stated if Council is willing to lease Project Pet the property then Project Pet will go into the community and do a capital campaign that will involve individuals, foundations, and corporations. Ms. Wilkinson stated that Project Pet sees this as a win, win for everybody. She stated Project Pet is not asking the County for money or an increase in taxes. She said she believes this addresses the quality of life for our citizens and ultimately saves money for the county and will have a positive impact with our dogs and cats that are going through our shelters.

Mr. Rucker asked how soon does Project Pet need an answer from Council.

Ms. Wilkinson replied she was hoping for a holiday gift but Project Pet would do whatever is necessary.

Mr. Wilkerson asked when Project Pet would have an answer on the grant.

Ms. Wilkinson stated Project Pet is being reviewed right now, but would move forward with Project Pet with or without the grant. She stated the grant is supposed to be reviewed this week in California.

Ms. Wilkinson stated if approved the first step would involve the grantor coming to Lexington and the Midlands to meet with all the organizations and then Project Pet will present a full business plan to show them that Project Pet can accomplish the numbers that they are going to accept with this grant.

Mr. Wilkerson asked if Project Pet needed the Bower Parkway property in particular or would other property elsewhere be suitable.

Ms. Wilkinson stated Project Pet is looking for a highly visible piece of property. She stated it is somewhat difficult for people to come into our shelters when they know if they choose one dog or cat that 90% of the others are going to be euthanized being the reason why Project Pet selected this property.

Mr. Mungo stated this property (Bower Parkway), while it is ideally located, is sort of an orphan piece of property. He stated it is bisected by major sewer lines, transmission lines and has an electrical substation and a detention pond. He stated if you ride by it looks like a great location, but said if you approached a typical franchisee of people who pay big dollars for property, they would reject the site without spending a huge amount of money on it. He stated this property would have to have whatever done to it very customized. He stated it is a very funny shaped piece of property and Project Pet would have to make it fit, but stated Project Pet needs a highly visible location. He indicated there are a number of prominent business people present tonight who have taken the time to show their support. He stated this is something Project Pet really needs to do and asked Council to consider conceptually approving the request and then representatives of Project Pet will sit down with a committee to work out the details of what Project Pet would have to do to keep the property. He stated it looked to him that Council can't lose. He stated Council is charged as council members and the employees of the county with handling this type of issue. He stated Project Pet has a private group who is willing to take the worst part of it and take it off the county employees and stated right now the adoption rate at the County's shelter is very low because it is not in the right place. He stated like everything else, you have to market the product. Mr. Mungo stated this is a great site for this use. It is good for other uses as well but they are going to be very limited and you will have to spend a lot of taxpayers' money.

Mr. Wilkerson asked if a ten year lease rather than a 25 year would work. He asked after the tens years could Council then review the progress of Project Pet and then if satisfactory, Council would grant the additional 15 years.

Mr. Mungo stated that Project Pet would need some assurance from the County that as long as the mission was being accomplished that we would have a lease.

Mr. Wilkerson stated that is exactly what he is proposing.

Mr. Mungo stated he did not know how Council could lose because at the end of 25 years if we haven't performed it would revert to the County and at that point in time you would have a facility that was paid for with improvements at no expense to the taxpayers. I don't really see how you could lose.

Mr. Owens stated he does not see a downside to this at all. He stated it was time that we respect the animals that we euthanize every year, around 18,000 between the two counties. Mr. Owens stated he couldn't think of a better purpose for that land.

Project Pet - Mr. Owens made a motion, seconded by Mr. Keisler to amend the agenda to include

Project Pet.

Mr. Davis opened the meeting for discussion.

Mr. Wilkerson asked how many years.

Mr. Davis stated this motion was just to amend the agenda.

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| In Favor: | Mr. Davis | Mr. Owens |
| | Mr. Keisler | Mr. Rucker |
| | Mr. Derrick | Mr. Jeffcoat |
| | Mr. Carrigg | Mr. Cullum |

Abstaining: Mr. Wilkerson

Ordinance 03-14 - Project Pet - Bower Parkway - 1st Reading - Mr. Carrigg made a motion, seconded by Mr. Wilkerson to approve 1st reading.

Mr. Davis opened the meeting for discussion.

Mr. Rucker stated he has no problems supporting this project but would not have supported it if there had only been one vote tonight. He stated there are other legal matters to consider before Council decides to transfer property to Project Pet but will support the first reading as there are three readings required.

Mr. Owens stated if Project Pet is not successful in two or three years, the property will still be there; we are just allowing them to use it.

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| In Favor: | Mr. Davis | Mr. Carrigg |
| | Mr. Wilkerson | Mr. Rucker |
| | Mr. Derrick | Mr. Keisler |
| | Mr. Jeffcoat | Mr. Owens |
| | Mr. Cullum | |

Old Business/New Business - None.

Executive Session/Legal Briefing - A motion was made by Mr. Carrigg, seconded by Mr. Rucker to go into Executive Session to receive legal and contractual briefings and to discuss a personnel matter.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Carrigg |
| | Mr. Rucker | Mr. Derrick |
| | Mr. Wilkerson | Mr. Keisler |

Mr. Jeffcoat
Mr. Cullum

Mr. Owens

Mr. Davis reconvened Council in open session.

Matters Requiring a Vote as a Result of Executive Session - Chairman Davis reported Council received the legal briefing during the Executive Session and discussed contractual matters and indicated one motion was to be considered.

Stoney Point at Bear Creek Subdivision - Incomplete Road Work - Mr. Jeffcoat made a motion, seconded by Mr. Cullum to approve the request for Public Works to move forward with the bid process for Stoney Point at Bear Creek Subdivision and approved that the County Attorney proceed with legal action against the original developer, Five Star Development, LLC.

Mr. Davis opened the meeting for discussion; no discussion occurred.

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| In Favor: | Mr. Davis | Mr. Jeffcoat |
| | Mr. Cullum | Mr. Rucker |
| | Mr. Derrick | Mr. Wilkerson |
| | Mr. Keisler | Mr. Carrigg |
| | Mr. Owens | |

Mr. Jeffcoat stated the County has given Five Star Development, LLC five years to finish the project at Stoney Point at Bear Creek Subdivision and has yet to complete the road work.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy K. Black
Clerk

George H. Smokey Davis
Chairman